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13 **ATTORNEYS FOR PLAINTIFF**

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 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 JONATHAN C. KALTWASSER,
 20 on behalf of himself and all others
 21 similarly situated,

22 Plaintiff,

23 v.

24 AT&T MOBILITY, LLC f/k/a
 25 CINGULAR WIRELESS LLC,

26
 27 Defendant.

) CASE NO.: 5:07-cv-00411-JF

) **JOINT STIPULATION AND [PROPOSED]-**
 18 **ORDER REGARDING BRIEFING AND**
 19 **HEARING SCHEDULE FOR**
 20 **DEFENDANT'S RENEWED MOTION**
 21 **TO COMPEL ARBITRATION AND STAY**
 22 **LITIGATION AND MOTION TO STRIKE**
 23 **CLASS ALLEGATIONS**

)
 24 Judge: Honorable Jeremy Fogel
 25 Date: September 9, 2011
 26 Time: 9:00am
 27 Courtroom: 3

WHEREAS, on July 13, 2011, Defendant filed a Renewed Motion to Compel Arbitration and Stay Litigation and a Motion to Strike Class Allegations (collectively “Defendant’s Motions”);

WHEREAS, on July 15, 2011 the parties attended a Case Management Conference with the Court to discuss Defendant's Motions wherein the Court directed the Parties to consult the Court's Clerk, Christian Delaney, about scheduling the briefing schedule and hearing date for Defendant's Motions;

WHEREAS, on July 19, 2011 counsel for Plaintiff spoke with Christian Delaney who indicated the Court wanted to hear Defendant's Motions on September 9, 2011;

WHEREAS, the parties conferred with respect to the briefing schedule for Defendant's Motions and agreed to and submit the following stipulation for the hearing and briefing on Defendant's Motions:

1. Plaintiff's opposition to Defendant's Motions shall be filed no later than August 10, 2011.

2. Defendant's reply in support of Defendant's Motions shall be filed no later than August 24, 2011.

3. Defendant's Motions shall be heard on September 9, 2011 at 9:00a.m. in Courtroom 3, 5th Floor, United States Courthouse, 280 S. First Street, San Jose, California.

The Parties respectfully request that the Court enter this Stipulation.

Dated: July 20, 2011

AGREED TO BY:

**STEMBER FEINSTEIN DOYLE
& PAYNE, LLC**

McKENNA LONG & ALDRIDGE LLP

By: /s/Joseph N. Kravec, Jr.
Joseph N. Kravec, Jr. (*pro hac vice*)
Wyatt A. Lison

By: /s/ Nathan L. Garroway via email consent
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Joint Stipulation and [Proposed] Order Regarding Briefing and Hearing Schedule for Defendant's Renewed Motion to Compel Arbitration and Stay Litigation and Motion to Strike Class Allegations
Case No.: 5:07-cv-00411-JF

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*Attorneys for Defendant ATT Mobility f/k/a
Cingular Wireless LLC*

21
22 *Attorneys for Plaintiff and the Proposed Class*

23
24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25
26 Dated: July 26, 2011

27
28 Honorable Jeremy Fogel


Joint Stipulation and [Proposed] Order Regarding Briefing and Hearing Schedule for Defendant's Renewed Motion to Compel Arbitration and Stay Litigation and Motion to Strike Class Allegations
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